

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JOSE GARCIA, et al.,

Plaintiffs,

v.

AURORA LOANS SERVICES, et al.,

Defendants.

No. C 13-3028 PJH

**ORDER RE SUBSTITUTION OF
COUNSEL**

Plaintiffs in the above-captioned case have filed a "request for approval of substitution of attorney," seeking to remove Linda Voss as counsel and to proceed pro se. However, plaintiffs' request appears to be signed by only one plaintiff (Jose Garcia), and not by the other plaintiff (Consuelo Garcia). Plaintiff Jose Garcia can represent only himself, he cannot represent Consuelo Garcia as well. Thus, the court needs a request for substitution of attorney that is signed by both Jose and Consuelo Garcia. Thus, plaintiffs are directed to re-file their request, and to include signatures of both plaintiffs.

The court also notes that defendant Quality Loan Service Corp. has filed a motion to dismiss. However, while the motion papers appear to have been served on Ms. Voss, there is no indication that they were served on plaintiffs themselves. After plaintiffs are properly substituted into the case, defendant can re-notice the motion to dismiss in accordance with this court's local rules and serve it on plaintiffs, and the court will go forward with the motion on the re-noticed hearing date.

IT IS SO ORDERED.

Dated: September 5, 2013



PHYLLIS J. HAMILTON
United States District Judge